

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

**SHAWN MARTIN, and KAREN
MARTIN,**

Plaintiffs,

v.

**BALJINDER SINGH, and LUIS FELIPE
GASTELUM VALENZUELA**

Defendants.

Case No. 2:21-cv-00364-HL

**OPINION AND ORDER ADOPTING
JUDGE HALLMAN’S FINDINGS AND
RECOMMENDATION**

IMMERGUT, District Judge.

No objections have been filed in response to Judge Hallman’s Findings and Recommendation (“F&R”), ECF 70. Following clear error review, this Court ADOPTS the F&R.

STANDARDS

Under the Federal Magistrates Act (“Act”), as amended, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). If a party objects to a magistrate judge’s F&R, “the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.* But the court is not required to review, de

novo or under any other standard, the factual or legal conclusions of the F&R that are not objected to. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). Nevertheless, the Act “does not preclude further review by the district judge, *sua sponte*” whether de novo or under another standard. *Thomas*, 474 U.S. at 154.

CONCLUSION

No objections to the F&R have been filed. Judge Hallman’s F&R, ECF 70, is adopted in full. As described in detail in the F&R, this Court GRANTS in part and DENIES in part Defendants Singh and Valenzuela’s respective motions for summary judgment, ECF 46; ECF 55.

IT IS SO ORDERED.

DATED this 13th day of March, 2024.

/s/ Karin J. Immergut
Karin J. Immergut
United States District Judge